

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Makoto TAKETO et al. : **Mail Stop: PCT**
Serial No. NEW : Attorney Docket No. 2006_1487A
Filed September 6, 2006 :

PHARMACEUTICAL COMPOSITION
COMPRISING CXCR3 INHIBITOR
[Corresponding to PCT/JP2005/004098
Filed March 9, 2005]

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- ☒ each U.S. Patent and U.S. Patent application publication;
- ☐ each reference previously cited in the international application PCT/_____; and/or
- ☐ each reference previously cited in prior parent application Serial No. _____.

1a. ☒ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

the certification of paragraph 2 below is provided, and

the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification

after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.
4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
 - a. ☐ a full or partial English language translation submitted herewith,
 - b. ☐ a foreign patent office search report (in the English language) submitted herewith,
 - c. ☐ the concise explanation contained in the specification of the present application at page,
 - d. ☐ the concise explanation set forth in the attached English language abstract,
 - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☒ A foreign patent office search report citing one or more of the references is enclosed.
6. ☒ The Applicant has found that there are clerical errors in Table 2, the rightmost column at page 41. That is, data in the rightmost column of Table 1 were erroneously inserted in Table 2, the correct one is shown below. For your reference, we herein enclose Kenji Kawada et al., Cancer Research 64, 4010-4017, June 1, 2004, of which authors include the inventors of the present application and which was published after the priority date of the present application. (Kenji KAWADA and Kenji KAWATA are the same person.) Table 2 at page 4014 of the paper correctly corresponds to Table 2 of the present application.

Corrected Table 2 Frequency of lymph-node metastasis

Injection	Number of Metastatic LN	Primary tumor Volume (mm ³) ^c
PBS + B16F10 (n=20)	6/20 (30%) ^a	428 ± 65
CFA + B16F10 (n=23)	21/23 (91%)	463 ± 106
CFA + EV1 (n=15)	12/15 (80%) ^b	410 ± 138
CFA + AS1 (n=15)	7/15 (46%) ^a	398 ± 106
CFA + AS2 (n=15)	5/15 (33%) ^a	377 ± 130

Respectfully submitted,

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September 6, 2006

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: September 6, 2006

ATTY DOCKET NO.
2006_1487ASERIAL NO.
NEW

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APPLICANT
Makoto TAKETO et al.FILING DATE
September 6, 2006

GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	2002/0034494	3/2002	Vicari et al.			Corresponds to AI
	AB	2003/0186889	10/2003	Forssmann et al.			Corresponds to AJ
	AC	2003/0119854	6/2003	Schall et al.			Corresponds to AM
	AD	2002/0039578	4/2002	Arimilli et al.			Corresponds to AN
	AE	6,140,064	10/2000	Loetscher et al.			Corresponds to AO
	AF	2003/0158392	8/2003	Loetscher et al.			Corresponds to AO
	AG						
	AH						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AI	00/03728	1/2000	WO			
	AJ	2003-530325	10/2003	JP			
	AK	2003-516324	5/2003	JP			
	AL	01/38352	5/2001	WO			Corresponds to AK
	AM	2003-508388	3/2003	JP			
	AN	2002-525338	8/2002	JP			
	AO	2002-513388	5/2002	JP			X
	AP	2005-132761	5/2005	JP			Abstract
	AQ						
	AR						

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AS	K. Kawada et al., "Pivotal Role of CXCR3 in Melanoma Cell Metastasis to Lymph Nodes", Cancer Research, Vol. 64, pp. 4010-4017, June 1, 2004.
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EXAMINER

DATE CONSIDERED